

CHURCH AND STATE NEWSLETTER

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Founding Fathers Banned Public Aid To All Sects, Book Proves

The American Tradition in Religion and Education, a searching treatise on the development of religious freedom in America from colonial times to the present, has just been issued by Beacon Press as the fifth in its series of studies in freedom and power. In this book, R. Freeman Butts, professor of education at Columbia University, cuts through the fog of misrepresentations and confusion which has been thrown around the principle of separation of church and state by self-seeking, narrowly sectarian groups.

Professor Butts proves beyond the shadow of a doubt that when the founding fathers adopted the First Amendment, with its prohibition on any law respecting "an establishment of religion," they sought to prevent the establishment of one religion or of several religions alike. Experiments with "multiple establishment" of religion had already been tried and abandoned by most of the fledgling states of the Union before the Constitutional Convention was held, and it was precisely this *multiple* variety of establishment—an anomaly which still remained in only five states—which James Madison insisted on outlawing when he pressed for adoption of the Amendment. He was opposed on this point by several denominational groups who fought to have the prohibition applied only to establishment of a *single* religion. They used, interestingly enough, precisely the same arguments which are used today by clericalists who insist that the government is duty-bound to foster the spread of religion by "co-operating" with the churches, lest the "religion of secularism" or the "religion of democracy" become established.

Expose Half-Truths

Professor Butts' book is invaluable for exposing misleading "historical" citations which have been used to "prove" that Madison and Jefferson believed precisely the opposite of what they actually did believe. For instance, it has been argued that Jefferson sought to provide for public "co-operation" with religious

groups when he "approved" the setting up of chapels on the campus of the University of Virginia, a public institution. The truth, however, is quite different, as Professor Butts shows. Jefferson, in drawing up plans for the University, wrote:

In conformity with the principles of our Constitution which places all sects of religion on an equal footing, with the jealousies of the different sects in guarding that equality from encroachment and surprise, and with the sentiments of the Legislature in favor of freedom of religion, manifested on former occasions, we have proposed no professors of divinity. . . .

An unprecedented emphasis was placed by Jefferson and the commissioners of the University upon secular studies and secular control. Under pressure from militant sectarian leaders, however, Jefferson gave consideration to a suggestion that they "establish their religious schools on the confines (borders) of the University, so as to give to their students ready and convenient access and attendance on the scientific lectures of the University. . . . But always understanding that these schools shall be independent of the University and of each other." This was the extent of Jefferson's eagerness to "cooperate" with the sectarian authorities! The concession was so small that they never actually took advantage of the offer.

JESUIT WEEKLY BLASTS JEFFERSONIAN BELIEFS

America magazine, in its issue of June 3, 1950, launches what is probably the frankest attack on this country's democratic ideology since the Roman Catholic hierarchy, in its pronouncement of November 20, 1948, declared "war" on the decision of the United States Supreme Court in the McCollum case. The magazine is edited by priests of the Jesuit order.

Wringing their hands, its editors ask: "Why has Jefferson cast a spell over contemporary American intellectuals? This seems to be the reason: if the personality and opinions of the 'Sage of Monticello' had been cut to order, they could not have emerged more congenial to the temperament so typical of our day."

Jefferson's Heirs

In the next paragraph, we learn that the "temperament so typical of our day" has reached its highest development in men like Paul Blanshard, author of *American Freedom and Catholic Power*—men who are, as *America* accurately points out, Jefferson's intellectual and spiritual heirs. Henry Steele Commager, professor of history at Columbia University, is also taken to task by the magazine for "ringing the chimes of the Jefferson cult."

In their labored effort to take the "Sage of Monticello" down a peg, the editors of *America* are unscrupulous enough to adopt the smear technique which is ordinarily reserved for living political figures rather than dead national heroes. "Despite his fondness for revolutions," they remark, ". . . no one among our early statesmen had less stomach for carrying a gun into the fight for freedom." With such observations, *America* is opening up new horizons for the most advanced practitioners of hatchet journalism.

Order *The American Tradition in Religion and Education* from POAU. The price is \$3.00.

SOUTHERN BAPTISTS WARNED AGAINST "FRINGE" BENEFITS

"... Citizens who yield to fringe, marginal, auxiliary, indirect, or concealed grants for religious purposes out of public funds" are paving the way for ultimate destruction of our religious liberties, Dr. Joseph M. Dawson, Baptist national public relations director and recording secretary of POAU, warned 10,000 delegates to the Southern Baptist Convention in Chicago recently.

Particularly strong temptation, he observed, has been held out under terms of the Hill-Burton Act, which provides for federal grants to private and denominational hospitals. Acceptance of such aid, Dr. Dawson emphasized, would be a violation of one of the most cherished principles of the Baptist Church—and one shared by other leading Protestant denominations—that only absolute separation of church and state can guarantee a free church in a free society. He asked the delegates to take note of the fact that 76 of the 99 grants-in-aid which have been made under the Hill-Burton Act have gone to Roman Catholic institutions.

The delegates took cognizance of another threat to American religious freedom by voting unanimously to adopt a resolution introduced by Dr. Louie D. Newton of Atlanta, Ga., that the Presidential mission to the Vatican, "described originally as a war emergency (measure), without the approval of Congress, has alarmed and disturbed our people and will, if allowed to continue, thrust upon our Nation a bitter struggle in maintaining the wall separating church and state." Dr. Newton, a former president of the Convention, is a member of POAU's executive committee.

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JUDGE-ELECT REJECTS SECTARIAN SUPPORT

Under the heading, "Religious Test for Judges Advocated," the *Church and State Newsletter* for April, 1949, reported that a speaker before the Catholic Forum in York, Pa., had declared that "since Catholics constitute one-fourth of the country's population, they should be entitled to (at least) one-ninth representation" on the United States Supreme Court.

Again, we are displeased to report that the same pernicious notion of a "quota system" for American judges cropped up recently in Milwaukee, Wisc.—this time, under Protestant auspices. However, the candidate who was made the "beneficiary" of this misguided kind of support refused to seek office on the basis of such an appeal. He was Judge Roy R. Stauff, running for re-election as county judge. After the Milwaukee Council of Churches began plumping for him because election of his Roman Catholic opponent would upset an alleged Protestant-Catholic "balance" in the courts, Judge Stauff, a Lutheran, declared:

"Party politics and religion ought not to be injected in any non-partisan election. This is particularly true in contests for judicial office."

POAU commends Judge Stauff for this stand. He was re-elected, but it is a pity that he was embarrassed in his campaign by the foolish effort of others to make it a religious contest.

STUDENTS STRIVE FOR POAU AWARD

Students at the Seventh-day Adventist Theological Seminary, Takoma Park, Md., have begun work on theses which will be entered in competition for a \$100 scholarship award which will be given by POAU for the best paper on the principle of church-state separation. Acting as faculty advisers to the competitors are the Rev. D. E. Rebok, Seminary president; Dr. Daniel Walther, chairman of the department of church history; and Dr. Frank H. Yost, associate secretary of the Religious Liberty Association.

Editorial

NO IDLE WORDS

Elsewhere in these pages, the meaning of the words, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .," is discussed in the light of the penetrating, historically-sound analysis of R. Freeman Butts in his new book, *The American Tradition in Religion and Education*. Every alert person knows that that "tradition" is being increasingly threatened in American life today. But we need to be clear about the nature of the threat.

No one has dared to propose that the First Amendment be repealed—but many proposals have been made that it be so interpreted as to mean precisely the opposite of what the founding fathers meant when they framed it. The separation of church and state would then be replaced by a system of "friendly cooperation" between the government and several "leading" religions—the very system which the First Amendment was intended to rule out.

Keep Freedom Alive

In other words, we shall probably keep the law on the books, but we are faced with the grave danger that it may become a dead letter. To keep it alive, all men who value their own liberty must understand—and act upon the understanding—that true liberty is indivisible, and that all citizens must be accorded equality before the law, whatever their religious belief. Equality cannot exist where the government has power to grant support or official "recognition" to any sect or sects, for the very act of granting support or "recognition" involves exercising control. If the government is not absolutely neutral in matters of religion, then it must obviously be partial.

Our devotion to the principle of separation of church and state must involve more than merely giving lip-service to the abstract principle. We must not use the words idly—we must apply them in practice. To accept what Dr. Joseph M. Dawson has described as "fringe, marginal, auxiliary, indirect, or concealed" government grants for our religious activities is to give up our freedom for a mess of pottage.

Burke Bill Endorsed

The Montgomery (Ala.) Baptist Ministers Conference recently adopted a resolution endorsing the Burke bill (H.R. 5939) for federal aid to education, which provides \$300,000,000 for financing of public school teachers salaries and related expenses, but provides no money for aid to parochial schools.

State Funds for Private Buses Ruled Out in North Dakota

It is unlawful for a local school board in the state of North Dakota to pay for transportation of parochial school pupils out of public funds, District Judge Harold B. Nelson has ruled. In denying the claim of a Hubbell school district resident for public reimbursement of expenses he incurred in sending his children to the Karlsruhe parochial school, Judge Nelson declared that state law clearly prohibited such payment. He observed further that the plaintiff, George Kramer, should have been perfectly aware of this fact, since he had been a member of the Hubbell school board for two years and was its president in 1946-47. The judge quoted from the minutes of a school board meeting over which Kramer had presided, as follows:

"August 23, 1946. The meeting was opened by George Kramer. The board decided to pay \$35 a month to each family for transportation of their children to a public school. Anyone hauling to a parochial school cannot collect transportation. No school will be opened in Hubbell this year. Tuition will be paid for children in public schools."

Claims Hardship

The nearest public schools outside of the Hubbell district were at Karlsruhe, 5½ miles away, and at Balfour and Lake George, both 8½ miles from Kramer's home. The Karlsruhe public school did not teach the first six grades, but the Karlsruhe parochial school did. Kramer sent his four children to the latter, and, when he brought his suit, argued that the Balfour and Lake George public schools were too remote, and the roads too poor, to have made it feasible for him to send his children to either of them for the first six grades.

But Judge Nelson rejected this argument, saying:

"By law it is the clear duty of the school board to maintain schools . . . except (that) any school may be discontinued when attendance is less than six for 10 consecutive days, if proper and convenient schools for the pupils can be provided in the territory. The board . . . may furnish transportation to the nearest school, or may pay an extra allowance for the transportation, or may furnish the equivalent thereof in tuition or lodging at some other public school. If the patron is dissatisfied with the arrangement made by the board as to adequate, convenient school, the matter may be submitted by the patron to a board of arbitration."

"Any reference to school in the law cited above refers to public schools only. . . ."

* * *

When we speak of religious freedom we must oppose its denial whether by an anti-religious state or by a state under the influence of a dominant religion. He who truly loves freedom will want to grant freedom to all.—World Call

France Rejects Church Tax Exemption Demand

The Parliamentary Education Committee at Paris, France, has rejected a proposal that church school teachers should be exempted from the payment of income taxes. The Gaullist Party, which pressed for exemption, argued that church school teachers deserve special consideration because they are paid much lower salaries than public school teachers.

The Gaullist Party is also backing a demand for the creation of state-subsidized cooperative building societies which would be authorized to float bond loans for construction of both public and church school buildings. (RNS)

* * *

"We demand from you that freedom of speech and freedom of assembly on your principles which we will deny to you on our principles when we regain power." Statement made by Louis Veuillot, French clericalist, to some of his liberal opponents (circa 1870).

Rep. Werdel Analyzes "Auxiliary Services"

"It is my honest opinion that the Federal lunch program and physical and medical examinations extended to children through school facilities are not education and are not of particular benefit to a school so as to alter its economic condition. The transportation amendment is to be distinguished from these two services in that it is not only of benefit to the individual child, but it is a definite economic benefit to private school education, and could not help but alter the financial policies and school plans of such schools."—extension of remarks of Congressman Thomas H. Werdel (R., Cal.) Congressional Record (Appendix), May 23, 1950.

Barden Heads Committee

Congressman Graham Barden (D., N. C.), sponsor of the Barden bill for federal aid to public schools only (H.R. 7160), has assumed the chairmanship of the House Committee on Education and Labor, following the death of Congressman John Lesinski (D., Mich.).

"CHRISTIAN SYLLABUS" PLAN FAILS IN EGYPT

Since 1944, a Liaison Committee representing non-Moslem sects in Egypt has sought to protect minority rights in church-state matters. A recent report issued in Cairo by Bishop Andrew Van der Bronck, committee chairman and Roman Catholic Apostolic Vicar of the Nile Delta, indicates that cooperation among the non-Moslem groups is good except in one respect—on the question of drawing up a common syllabus of religious instruction to be given to Christian students in government schools. No such syllabus has been devised, the Bishop complains, "because every Church is trying to teach its full doctrine to its flock." (RNS)

Bible Distribution Stirs Communities

School trustees at Reno, Nev., have refused to permit the Gideon Society to place New Testaments in the local high school. The trustees' decision has the approval of the Washoe County Ministerial Association. The same question is creating considerable stir at Hartford, Conn., where the Catholic Men's and Women's Clubs of Rocky Hill are vigorously contesting the partially successful efforts of the Gideon Society to distribute Bibles to public school pupils "who wanted them."

The Reno school trustees, in announcing their decision, pointed out that some religions do not accept the New Testament, but added that they might reconsider the question if both the Old and New Testaments were to be made available. (RNS)

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Protestants and Other Americans United for
Separation of Church and State
1835 K Street, N. W., Washington 6, D. C.

Executive Director Glenn L. Archer *President* Edwin McNeill Poteat
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OXNAM ASKS END OF DIVISIVE FACTORS AMONG CHRISTIANS

Action to end the "sorry spectacle" of a "divided Christendom confronting a united Communist movement" was urged by Bishop G. Bromley Oxnam at the recent Northern Baptist Convention in Boston. The New York Methodist leader and POAU executive proposed an "early" conference of Roman Catholic and Protestant leaders to plan cooperative measures which would "electrify the world."

"Antecedent to such conference," he continued, "Protestants believe the Pope should enunciate a new doctrine of religious liberty. Let him, as the head of a great body of Christians, declare that the Roman Catholic Church recognizes and will cooperate in protecting the right of every man to worship God according to the dictates of his conscience or in his own way, the right of parents to rear their children in their faith, the right of the individual to change his faith, the right of churches to educate, preach, carry on missionary work, and to own property for these purposes.

"In a word, let the Holy Father declare that in all matters involving religious liberty, the Roman Catholic Church will do unto others as it would have others do unto the Roman Catholic Church."

Eager to Cooperate

Bishop Oxnam expressed his conviction that "the major Protestant denominations would gladly appoint representatives to sit with such leaders as Cardinal Mooney, Cardinal Spellman, Archbishop Cushing and others to confer relative to the contemporary world situation" as well as means of propagating "the Christian conception of the worth of man, of the meaning of the Kingdom of God on earth."

America must maintain sufficient strength "to make it clear that any at-

tempt of Russia further to expand will jeopardize the peace," the Bishop held, but he emphasized that Communism "cannot be bombed out of the heads of men," and that it "must be met by an ideology equally dynamic." "Christianity," he concluded, "is such an ideology."

Youth Group Plans POAU Activities

The working nucleus for a POAU youth movement was formed last month at a meeting held in the Washington home of Dr. Charl Ormond Williams, member of POAU's executive committee and past president of the National Education Association.

The young men and women who attended participated in an intensive discussion with Miss Williams and with POAU Executive Director Glenn L. Archer on leading problems in church-state relations. June Britton and Arthur Smith were elected acting chairman and secretary, respectively, and future meetings of the unit are being planned.

EVERY MEMBER GET A MEMBER!
POAU is beginning to flex its muscles
in every part of the United States. If
each member will get a member, the
cause of religious liberty will GROW,
and GROW and GROW!

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Educators, Parents Stand Firm on Schools Question

"... The National Congress of Parents and Teachers believes that federal funds can be supplied for public schools and for free, tax-supported public schools only, just as funds are supplied for other public purposes. . . . Certainly it must be clear that the expenditure of public funds for privately controlled schools would ultimately endanger the integrity and existence of the public school system."—*The National Parent Teacher*, May 1950.

"Federal and state financial assistance for education, whether for current expense, capital outlay, or school-connected auxiliary services, should be restricted to tax-supported and publicly controlled school systems and institutions of higher learning."—*National Council of Chief State School Officers.*

"We believe the American tradition of separation of church and state should be vigorously and zealously safeguarded. We respect the rights of groups, including religious denominations, to maintain their own schools so long as such schools meet the education, health, and safety standards defined by the states in which they are located. We believe that these schools should be financed entirely by their supporters. We therefore oppose all efforts to devote public funds to either the direct or the indirect support of these schools. . . ."—*American Association of School Administrators*.

"... The proposition that public funds should be available for the support of church-related institutions either directly or indirectly is foreign to the Constitution of the United States and hence to the power of any of the forty-eight states. . . ."—*Department of Rural Education, National Education Association*.

Austria Asked to Aid Church Institutions

State subsidies and other benefits for church-supported charitable institutions were proposed recently in a memorandum submitted to the Austrian National Assembly by the Caritas organization of the Roman Catholic diocese at Linz, Upper Austria. In particular, the memorandum demanded that church-owned hospitals enjoy the same status and receive the same aid as government-owned hospitals.

"Religious liberty in America will obtain only so long as POAU stands on guard vigilantly against the known trespassers, against that minority which infringes upon our constitutional rights."